

REMARKS

With the cancellation of claim 20, claims 11-19 and 21-24 are now pending in the above-referenced application.

Regarding the objection to the Title, Applicants have adopted the Examiner's suggested change and accordingly request withdrawal of this objection.

As for the objection to the drawings, Applicants have submitted a replacement Figure 1 that does not include any handwriting. As for the other basis of the rejection, in which the Examiner asserts that several recited method steps are not shown, Applicants submit that it is enough to illustrate the apparatus for performing the steps listed in the objection. No law, regulation, or precedent, as far as the undersigned can tell, requires anything more.

Claims 11-19 and 22-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 5,797,121 to Fette et al. ("Fette"). Applicants submit that Fette does not anticipate these claims because Fette does not identically teach each and every limitation recited therein. The Examiner asserts relies on column 4, lines 1-7, for a teaching of "the quantizing occurring to a word length that results in no noticeable losses in speech quality." The claim language recites "no noticeable losses in speech quality," which is not what this passage from Fette says. Instead, Fette states that "a task 56 resets the values of N to the minimum levels which do not yield significant speech quality degradation." Apparently, the Examiner believes the term "no noticeable losses" to be broad enough to encompass the teaching of not yielding "significant speech quality degradation." Applicants disagree. The teaching of Fette rejects significant speech quality degradation, but accepts insignificant speech quality degradation. See column 3, lines 61-65 ("So long as speech quality degradation is deemed not significant, a task 54 reduces the values of N by 1..."). The conclusion that a speech quality degradation that is "insignificant" must also involve "no noticeable" speech quality loss (or cannot involve a noticeable, yet insignificant, speech quality loss) does not follow from the teaching of Fette. The Examiner has not proven, with evidence, that what Fette meant by "insignificant" speech quality loss is "no noticeable" loss in such quality. Accordingly, this element of claim 11 is not met.

Moreover, the Fette method does not teach or suggest the steps of determining a maximum of a positive value and a minimum of a negative value of each codebook/code table as scaling. Fette does not suggest that scaling is achieved such that an available range of values is exploited as completely as possible. The number of repeated multiplications is not used as a scaling factor for all code book/ode table entries. Due to these differences the Fette

document cannot be seen as an anticipation of claim 11. The same differences stand for the apparatus claim 22.

Applicants have also incorporated into claim 11 the subject matter of claim 20, to better distinguish the present invention over Fette. Moreover, claim 21 has been rewritten in independent form. The combination of the Fette and the Gersho document could not use scaling in the manner of claim 11.

It is therefore respectfully requested that the objections and rejections be withdrawn, and that the present application issue as early as possible.

Respectfully submitted,

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R. 192 (B.No. 41,172)

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Amendments to the Drawings:

Attached hereto is a replacement sheet showing changes made to Figure 1, for which the approval of the Examiner is respectfully requested.